PATENT



<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

| In re A | Application of |) | |
|---------|----------------------------|---|-------------------------|
| | •• |) | Group Art Unit: 3728 |
| | Tobie D. Hatfield, et al. |) | |
| | |) | Examiner: TBD |
| Serial | No. 10/681,321 |) | |
| · | |) | Docket No. 005127.00234 |
| Filed: | October 9, 2003 |) | |
| | |) | |
| For: | ARTICLE OF FOOTWEAR WITH A |) | |
| | STRETCHABLE UPPER AND AN |) | |
| | ARTICULATED SOLE STRUCTURE |) | |

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Alexandria, VA 22313

Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. §1.56(a), applicants submit the documents cited on the attached PTO-1449 form and respectfully request that the Examiner consider these documents. Only the foreign references are attached hereto.

This Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits under 37 C.F.R. §1.97(b)(3) and, therefore, neither a certification under 37 C.F.R. §1.97(e) nor a fee under 37 C.F.R. §1.17(p) is required. Should a fee be deemed necessary for consideration of this Information Disclosure Statement, however, such fee is hereby requested and the Commissioner is authorized to debit deposit account number 19-0733 for payment.

Applicants respectfully request that the documents cited on the attached PTO-1449 form be made officially of record, and that a listing of the documents appear on the face of any patent that may issue from this application.

Respectfully submitted,

By:

Byron S. Kuzara

Registration Number 51,255

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Dated: March 8, 2004

MAR O 8 TOTAL OF

PTO-1449 (Modified)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

| ATTY. DOCKET NO. | SERIAL NUMBER |
|---------------------------|----------------|
| 005127.00234 | 10/681,321 |
| APPLICANT | |
| Tobie D. Hatfield, et al. | |
| FILING DATE | GROUP ART UNIT |
| | |

3728

U.S. PATENT DOCUMENTS

10/9/03

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------------|------------|---------------|-------|--------------|----------------|
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE |
| | Des. 294,537 | 03/08/1998 | Le | | | |
| | Des. 294,653 | 03/15/1998 | Le | | | |
| | 500,385 | 06/27/1893 | W. Hall | | | |
| | 2,155,166 | 04/18/1939 | H. T. Kraft | | | |
| | 3,087,261 | 04/30/1963 | L. E. Russell | | | |
| | 4,059,910 | 11/29/1977 | Bryden et al. | | | |
| | 4,241,524 | 12/30/1980 | Sink | | | |
| | 4,302,892 | 12/01/1981 | Adamik | | | |
| | 4,309,832 | 01/12/1982 | Hunt | | | - |
| | 4,638,577 | 01/27/1987 | Riggs | | | |
| | 5,784,808 | 07/28/1998 | Hockerson | | | |
| | 6,065,230 | 05/23/2000 | James | | | |
| | 6,079,126 | 06/27/2000 | Olszewski | | | |
| | 6,487,795 | 12/03/2002 | Ellis, III | | | |
| | 2003/0046830 | 03/13/2003 | Ellis, III | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION YES/NO |
|---------------------|--------------------|------------|---------|-------|--------------|-----------------------|
| | 91/03180 | 03/21/1991 | WO | | | |
| | 91/05491 | 05/02/1991 | WO | | | |
| | 91/11924 | 08/22/1991 | WO · | | | |
| | 91/19429 | 12/26/1991 | WO | | | |
| | 92/07483 | 05/14/1992 | WO | | | |
| | 94/03080 | 02/17/1994 | wo | | | |
| | 1002475 | 05/24/2000 | EP . | | | |

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
| | |

EXAMINER: Initial citation if reference was considered. Draw line through citation if not in conformance to MPEP 609 and not considered. Include copy of this form with next communication to applicant.